

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1899 – SB 1904

February 17, 2018

SUMMARY OF BILL: Prohibits an employer from discriminating against an employee or an applicant for employment on the basis of disability when a reasonable accommodation can be made. Requires an employer to provide a reasonable accommodation to the applicant or employee unless the accommodation would impose a direct threat or create an undue hardship on the operation of the business of the employer. Establishes procedures and remedies for disability discrimination claims.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 4-21-306(a)(1)-(7), remedies for disability discrimination claims include payment to an individual for humiliation and embarrassment caused by the discriminatory practice as well as reasonable attorney's fees and back pay.
- Any impact on state and local governments associated with these remedies is estimated to be not significant as it is assumed that state and local governments will comply with the requirements of the proposed legislation.
- Any reasonable accommodations made by state and local governments as a result of this legislation will not result in a significant increase in state or local expenditures.
- Passage of this legislation may result in an increase in complaints that will be investigated by the Human Rights Commission (HRC) and the Department of Human Resources (DHR). However, any such increase can be accommodated within existing resources of the two entities and will not result in a significant increase in state expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- This legislation is estimated to have no significant impact on jobs or commerce in Tennessee.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh